

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

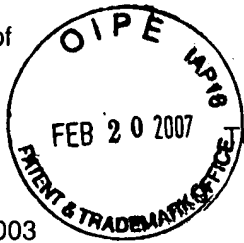
In re Patent Application of

Atty MJW-01579-0872

Dkt.

C# M#

PENDERGAST et al



C/A.U.

1655

Serial No. 10/734,582

Examiner: Gitomer, R.

Filed: December 15, 2003

Date: February 20, 2007

Title: A METHOD OF BLOCKING PATHOGEN INFECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.**

Fees are attached as calculated below:

Total effective claims after amendment 0 minus highest number
previously paid for 20 (at least 20) = 0 x \$50.00 \$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment 0 minus highest number
previously paid for 3 (at least 3) = 0 x \$200.00 \$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add
\$360.00 (1203)/\$180.00 (2203) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s)

One Month Extension \$120.00 (1251)/\$60.00 (2251)
Two Month Extensions \$450.00 (1252)/\$225.00 (2252)
Three Month Extensions \$1020.00 (1253)/\$510.00 (2253)
Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)
Five Month Extensions \$2160.00 (1255)/\$1080.00 (2255) \$

Terminal disclaimer enclosed, add \$130.00 (1814)/\$65.00 (2814) \$

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee \$180.00 (1806) \$ 180.00

Assignment Recording Fee \$40.00 (8021) \$ 0.00

Other: \$ 0.00

TOTAL FEE (CREDIT CARD PAYMENT FORM ATTACHED) \$ 180.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

901 North Glebe Road, 11th Floor
Arlington, Virginia 22203-1808
Telephone: (703) 816-4000
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MJW:tat

NIXON & VANDERHYE P.C.
By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. Wilson

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

PENDERGAST et al

Serial No. 10/734,582

Filed: December 15, 2003

For: A METHOD OF BLOCKING PATHOGEN INFECTION



Confirmation No. 1952

Atty. Ref.: 01579-0872

Group: 1655

Examiner: Gitomer, R.

* * * * *

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

February 20, 2007

Sir:

INFORMATION DISCLOSURE STATEMENT

- ☐ 1. **PTO/SB/08a Pursuant to 37 CFR 1.97(b)**
[within 3 months of filing or prior to 1st Office Action on the merits]
N/C
- ☐ 2.(a) **Statement Pursuant to 37 CFR 1.97(c)**
[before Final Office Action or Allowance (requires Rule 97(e)
Statement or Rule 17(p) fee)]
N/C
- ☒ 2.(b) **Fee Payment Pursuant to 37 CFR 1.97(c)**
[before Final Office Action or Allowance (requires Rule 97(e)
Statement or Rule 17(p) fee)]
\$180.00
- ☐ 3. **Pursuant to 37 CFR 1.97(d)**
[after Final Office Action or Allowance (requires Rule 97(e)
Statement and Rule 17(p) fee), but before final fee payment]
\$180.00

The following are submitted in the above-identified application in compliance with
37 C.F.R. §§ 1.97 and 1.98:

- ☒ 4. A list of documents on Form PTO/SB/08a together with copies (as
may be required) of each identified document and a translation or a
concise explanation of each non-English language document (such
as a Search Report) is enclosed herewith.

This paper is submitted in accordance with:

- ☐ 5. 37 CFR 1.97(b): [within 3 months of filing or prior to 1st Office Action]
- ☒ 6. 37 CFR 1.97(c): [before Final Office Action or Allowance, whichever is earlier];
and
 - ☐ a) The required Statement made in item 8 below; or
 - ☒ b) The \$180.00 fee specified in 37 CFR §1.17(p) for submission of this Information Disclosure Statement is authorized in item 9 below.
- ☐ 7. 37 CFR §1.97(d): [after Final Office Action or Allowance (requires Rule 97(e) Statement and Rule 17(p) fee), but before final fee payment]; and
 - ☐ a) The fee (\$180.00) required by 37 CFR §1.17(p) is submitted herewith;
and
 - ☐ b) The required Statement is stated in item 8 below.
- ☐ 8. Statement under 37 CFR 1.97(e)
 - ☐ a) The undersigned attorney of record hereby certifies under 37 C.F.R. §1.97(e) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement (each item contained in this IDS was the first citation of that item by a foreign patent office in a counterpart foreign application which occurred no more than three months prior to the filing of this IDS); or

- ☐ b) No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement, after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- ☒ 9. Please charge all deficiency fees associated with the submission of this Information Disclosure Statement and any other fees applicable to this application to Deposit Account No. 14-1140. An original and one (1) copy of this document are enclosed.

Respectfully submitted,
NIXON & VANDERHYE P.C.

By: Mary J. Wilson
Mary J. Wilson
Reg. No. 32,955

901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
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INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Atty. Docket No.

Serial No.

01579-0872

10/734,582

Applicant

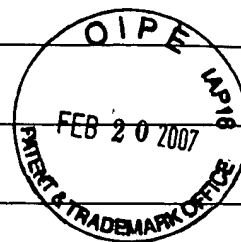
PENDERGAST et al

Filing Date

TC/A.U.

December 15, 2003

1655



U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

| | |
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| | Burton et al, "Identification of a Novel Signaling Pathway Required for Update of Bacterial Pathogens", Molecular Biology of the Cell 13:51a, No. 286 (2002) |
| | Druker et al, "Activity of a Specific Inhibitor of the BCR-ABL Tyrosine Kinase In the Blast Crisis of Chronic Myeloid Leukemia and Acute Lymphoblastic Leukemia With the Philadelphia Chromosome", N. Engl. J. Med. 344(14):1038-1042 (2001) |
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*Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.